

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RANDY MAESTAS,

Plaintiff,

v.

C.S.A.T.F. MAIL ROOM,

Defendant.

No. 1:23-cv-00569-JLT-EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. 10)

Randy Maestas is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 17, 2023, the assigned magistrate judge entered findings and recommendations, recommending that this case be dismissed with prejudice based on Plaintiff's failure to comply with Federal Rule of Civil Procedure 8(a) and immunity grounds. (Doc. 10.) The findings and recommendations were served on Plaintiff and contained notice that any objections thereto must be filed within twenty-one days. Plaintiff has filed no objections, and the time to do so has expired. The Court notes that, on June 14, 2023, Plaintiff filed a motion to appoint counsel. (Doc. 11.) However, as this case will be dismissed, the Court will deny that motion as moot.

According to 28 U.S.C. § 636(b)(1)(C), this Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the Court concludes the findings and

recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS**:

1. The findings and recommendations issued on May 17, 2023 (Doc. 10) are **ADOPTED IN FULL**.
 2. This case is **DISMISSED** with prejudice.
 3. Plaintiff's motion to appoint counsel (Doc. 11) is **DENIED** as moot.
 4. The Clerk of Court is directed to close this case.

IT IS SO ORDERED.

Dated: June 21, 2023

Jennifer L. Thurston
UNITED STATES DISTRICT JUDGE